

# SENATE BILL 293

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By: Senators Miller, Kittleman, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones-Rodwell, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Montgomery, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Shank, Stone, Young, and Zirkin

Introduced and read first time: January 26, 2012

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – Core Content Areas – Accountability Program**

3 FOR the purpose of requiring the State Board of Education and the State  
4 Superintendent of Schools to assist each county board of education to establish  
5 certain goals and objectives that conform with certain objectives for subject  
6 areas that include science and social studies; requiring each public school to  
7 survey current student achievement in science and social studies; requiring the  
8 State Board and the State Superintendent to ~~design and~~ implement certain  
9 assessment programs in certain subjects and requiring the ~~social studies~~  
10 assessment ~~program~~ programs to provide certain information; requiring certain  
11 grade band assessments and end-of-course assessments to be ~~established,~~  
12 ~~implemented,~~ implemented and administered annually at certain levels by a  
13 certain school year; requiring county boards of education to include certain  
14 information in the boards' comprehensive master plans and updates to the  
15 plans; requiring the State Board to develop and implement certain  
16 State-specific assessments by a certain school year if certain determinations are  
17 made regarding certain middle school and high school level assessments;  
18 requiring the Governor to include a certain appropriation in the fiscal year 2014  
19 State budget bill if a certain amount of funding to administer a certain  
20 Maryland high school assessment is not provided in the fiscal year 2013 State

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 budget bill; prohibiting implementation of certain provisions of this Act under  
2 certain circumstances; defining a certain term; and generally relating to an  
3 education accountability program for certain core content areas.

4 BY repealing and reenacting, without amendments,  
5 Article – Education  
6 Section 5–401(a) and (b)(1)  
7 Annotated Code of Maryland  
8 (2008 Replacement Volume and 2011 Supplement)

9 BY repealing and reenacting, with amendments,  
10 Article – Education  
11 Section 5–401(c) and 7–203  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Education**

17 5–401.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) “Local performance standards” means standards for student and  
20 school performance developed by a county board.

21 (3) “Plan” means a comprehensive master plan.

22 (4) “State performance standards” means standards for student and  
23 school performance approved by the State Board.

24 (5) “Update” means an annual update to a county board’s  
25 comprehensive master plan.

26 (b) (1) Each county board shall develop and implement a comprehensive  
27 master plan that describes the goals, objectives, and strategies that will be used to  
28 improve student achievement and meet State performance standards and local  
29 performance standards in each segment of the student population.

30 (c) The plan or update shall include:

31 (1) Goals and objectives as required under subsections (d) through (f)  
32 of this section that are aligned with State performance standards and local  
33 performance standards;

- 1           (2)    Implementation strategies for meeting goals and objectives;
- 2           (3)    Methods for measuring progress toward meeting goals and  
3 objectives;
- 4           (4)    Time lines for implementation of the strategies for meeting goals  
5 and objectives;
- 6           (5)    Time lines for meeting goals and objectives;
- 7           (6)    A description of the alignment of the county board's budget with  
8 goals, objectives, and strategies for improving student achievement;

9           (7)    The impact of the proposed goals, objectives, and implementation  
10 strategies on public school facilities and capital improvements that may be needed to  
11 implement the plan or update; [and]

12           **(8)    A DESCRIPTION OF HOW THE COUNTY BOARD PLANS TO**  
13 **ENSURE AND MEASURE THE ACADEMIC PROFICIENCY OF STUDENTS IN THE**  
14 **CORE ACADEMIC SUBJECTS LISTED IN § 7-203 OF THIS ARTICLE AT VARIOUS**  
15 **POINTS DURING THE ELEMENTARY AND SECONDARY EDUCATION OF THE**  
16 **STUDENTS; AND**

17           ~~[(8)]~~ **(9)**    Any other information required by the State  
18 Superintendent.

19    7-203.

20           (a)    The State Board, the State Superintendent, each county board, and each  
21 public school shall implement a program of education accountability for the operation  
22 and management of the public schools.

23           (b)    **(1)    IN THIS SUBSECTION, "GRADE BAND ASSESSMENT" MEANS**  
24 **ONE ASSESSMENT OF A MIDDLE SCHOOL STUDENT'S KNOWLEDGE IN A CORE**  
25 **ACADEMIC SUBJECT AREA DURING GRADES 6 THROUGH 8.**

26           **(2)**    The education accountability program shall include the following:

27           ~~(1)~~   **(I)**    The State Board and the State Superintendent shall assist  
28 each county board to establish educational goals and objectives that conform with  
29 statewide educational objectives for subject areas including reading, writing, [and]  
30 mathematics, **SCIENCE, AND SOCIAL STUDIES;**

31           ~~(2)~~   **(II)**   With the assistance of its county board, each public school  
32 shall survey current student achievement in reading, language, mathematics,  
33 **SCIENCE, SOCIAL STUDIES,** and other areas to assess its needs;

1           ~~(3)~~ ~~(III)~~ ~~(I)~~ 1. THE STATE BOARD AND THE STATE  
 2 SUPERINTENDENT SHALL ~~DESIGN AND~~ IMPLEMENT ASSESSMENT PROGRAMS IN  
 3 READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES THAT  
 4 INCLUDE WRITTEN RESPONSES;

5           ~~(II)~~ 2. THE ~~SOCIAL STUDIES~~ ASSESSMENT PROGRAM  
 6 REQUIRED IN THIS SUBSECTION SHALL:

7                   ~~1.~~ A. PROVIDE INFORMATION NEEDED TO IMPROVE  
 8 PUBLIC SCHOOLS BY ENHANCING THE LEARNING GAINS OF STUDENTS AND  
 9 ACADEMIC MASTERY OF THE SKILLS AND KNOWLEDGE SET FORTH IN THE  
 10 STATE'S ADOPTED ~~SOCIAL STUDIES~~ CURRICULA ~~AS DELINEATED~~ OR COMMON  
 11 CORE CURRICULA; AND

12                   ~~2.~~ B. INFORM THE PUBLIC ANNUALLY OF THE  
 13 EDUCATIONAL PROGRESS MADE ~~IN SOCIAL STUDIES~~ AT THE SCHOOL, LOCAL  
 14 SCHOOL SYSTEM, AND STATE LEVELS; AND

15           ~~(II)~~ 3. BEGINNING IN THE 2014-2015 SCHOOL YEAR, THE  
 16 FOLLOWING ASSESSMENTS SHALL BE ~~ESTABLISHED, IMPLEMENTED,~~  
 17 IMPLEMENTED AND ADMINISTERED ANNUALLY:

18                   ~~1.~~ ~~AT THE ELEMENTARY AND MIDDLE SCHOOL~~  
 19 ~~LEVELS, A STATEWIDE, COMPREHENSIVE, GRADE BAND ASSESSMENT PROGRAM~~  
 20 ~~THAT MEASURES THE LEARNING GAINS OF EACH PUBLIC SCHOOL STUDENT~~  
 21 ~~TOWARDS ACHIEVING MASTERY OF THE STANDARDS SET FORTH IN THE STATE'S~~  
 22 ~~ADOPTED SOCIAL STUDIES CURRICULA; AND~~

23                   A. AT THE MIDDLE SCHOOL LEVEL, A STATEWIDE,  
 24 COMPREHENSIVE, GRADE BAND ASSESSMENT PROGRAM THAT MEASURES THE  
 25 LEARNING GAINS OF EACH PUBLIC SCHOOL STUDENT TOWARDS ACHIEVING  
 26 MASTERY OF THE STANDARDS SET FORTH IN THE COMMON CORE CURRICULA  
 27 OR THE STATE'S ADOPTED CURRICULA FOR THE CORE CONTENT AREAS OF  
 28 READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES; AND

29                   ~~2.~~ B. AT THE HIGH SCHOOL LEVEL, A STATEWIDE,  
 30 STANDARDIZED, END-OF-COURSE ASSESSMENT THAT IS ALIGNED WITH AND  
 31 THAT MEASURES EACH PUBLIC SCHOOL STUDENT'S SKILLS AND KNOWLEDGE OF  
 32 THE STATE'S ADOPTED ~~GOVERNMENT CURRICULA~~ CURRICULA FOR THE CORE  
 33 CONTENT AREAS OF READING, LANGUAGE, MATHEMATICS, SCIENCE, AND  
 34 SOCIAL STUDIES;

1            ~~[(3)]~~ ~~(4)~~     **(IV)** Each public school shall establish as the basis for its  
2 assessment of its needs, project goals and objectives that are in keeping with the goals  
3 and objectives established by its county board and the State Board;

4            ~~[(4)]~~ ~~(5)~~     **(V)** With the assistance of its county board, the State  
5 Board, and the State Superintendent, each public school shall develop programs to  
6 meet its needs on the basis of the priorities it sets;

7            ~~[(5)]~~ ~~(6)~~     **(VI)** Evaluation programs shall be developed at the same  
8 time to determine if the goals and objectives are being met; and

9            ~~[(6)]~~ ~~(7)~~     **(VII)** A reevaluation of programs, goals, and objectives shall  
10 be undertaken regularly.

11            **(3) (I) AFTER THE 2014–2015 SCHOOL YEAR, THE STATE**  
12 **BOARD SHALL DETERMINE WHETHER THE ASSESSMENTS AT THE MIDDLE**  
13 **SCHOOL AND HIGH SCHOOL LEVELS REQUIRED UNDER PARAGRAPH (2)(III)3 OF**  
14 **THIS SUBSECTION ADEQUATELY MEASURE THE SKILLS AND KNOWLEDGE SET**  
15 **FORTH IN THE STATE’S ADOPTED CURRICULA FOR THE CORE CONTENT AREAS**  
16 **OF READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES.**

17            **(II) IF THE STATE BOARD MAKES A DETERMINATION UNDER**  
18 **SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT AN ASSESSMENT DOES NOT**  
19 **ADEQUATELY MEASURE THE SKILLS AND KNOWLEDGE SET FORTH IN THE**  
20 **STATE’S ADOPTED CURRICULA FOR A CORE CONTENT AREA, THE DEPARTMENT**  
21 **SHALL DEVELOP A STATE–SPECIFIC ASSESSMENT IN THAT CORE CONTENT AREA**  
22 **TO BE IMPLEMENTED IN THE 2016–2017 SCHOOL YEAR.**

23            (c) National standardized testing may not be the only measure for  
24 evaluating educational accountability.

25            (d) The Department shall assist each county board to establish an education  
26 accountability program by providing:

27            (1) Guidelines for development and implementation of the program by  
28 the county boards; and

29            (2) Assistance and coordination where it is needed and requested by  
30 the county boards.

31            (e) The State Superintendent shall send the Governor and, subject to §  
32 2–1246 of the State Government Article, the General Assembly a report each January  
33 that includes:

1 (1) Documentation of the progress of the Department, the county  
2 boards, and each public school in this State towards their respective goals and  
3 objectives; and

4 (2) Recommendations for legislation that the State Board and the  
5 State Superintendent consider necessary to improve the quality of education in this  
6 State.

7 (f) On the recommendation of the State Superintendent, the State Board  
8 shall include in its annual budget request the funds it considers necessary to carry out  
9 the provisions of this section.

10 SECTION 2. AND BE IT FURTHER ENACTED, That if funding is not provided  
11 in the fiscal year 2013 State budget bill (Chapter \_\_\_\_ (S.B. 150) of the Acts of the  
12 General Assembly of 2012) in an amount sufficient to administer the Maryland high  
13 school assessment for government to meet the requirements of this Act, the Governor  
14 shall include an appropriation in the fiscal year 2014 State budget bill in an amount  
15 sufficient to administer the Maryland high school assessment for government to meet  
16 the requirements of this Act.

17 SECTION 3. AND BE IT FURTHER ENACTED, That notwithstanding §  
18 7-203(b) of the Education Article, as enacted by Section 1 of this Act, if the State  
19 Board of Education has not adopted an assessment to measure the common core  
20 curricula before July 30, 2014, then the requirements of § 7-203(b)(2)(iii)3A and (3)(i)  
21 for middle school assessments, as enacted by Section 1 of this Act may not be  
22 implemented until the first day of school in the school year that follows the adoption of  
23 an assessment to measure the common core curricula by the State Board.

24 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take  
25 effect July 1, 2012.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.